

5

FILED
2014 APR 29 P 3:55
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DMR

Crystal Howery,
Plaintiff,

vs.

International Association of
Machinists and Aerospace Workers,
Defendant.

CV 14 1980

CASE NO. _____

EMPLOYMENT DISCRIMINATION
COMPLAINT

1. Plaintiff resides at:

Address 584 Castro Street

City, State & Zip Code San Francisco, CA 94114

Phone (415) 805-8150

2. Defendant is located at:

Address 9125 15th Place South

City, State & Zip Code Seattle, WA

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred on this Court by 42 U.S.C. Section 2000e-5.

Equitable and other relief is sought under 42 U.S.C. Section 2000e-5(g).

4. The acts complained of in this suit concern:

a. ☐ Failure to employ me.

b. ☐ Termination of my employment.

1 c. ☐ Failure to promote me.

2 d. ☒ Other acts as specified below.

3 Refusal to grieve, arbitrate, intervene or fairly represent union member when Boeing:

4 Harassed and Retaliated against union member for opposing and reporting discriminatory

5 practices as well as for participating in investigations regarding discrimination, including

6 violations of: the Lilly Ledbetter Fair Pay Act; the Americans with Disabilities Act; the Age

7 Discrimination in Employment Act; the Civil Rights Act; the Genetic Information

8 Nondiscrimination Act; the Equal Pay Act; and other violations of the law.

9 5. Defendant's conduct is discriminatory with respect to the following:

10 a. ☒ My race or color.

11 b. ☒ My religion.

12 c. ☒ My sex.

13 d. ☒ My national origin.

14 e. ☒ Other as specified below.

15 Disability, Genetic Information, Age, Retaliation for opposing discriminatory practices.

16 6. The basic facts surrounding my claim of discrimination are:

17 I was not paid for my hourly work. I was also denied a bonus. Requests for reasonable

18 accommodation were denied. I was harassed. I was placed on leave without pay.

19 I was terminated. Throughout all of this, I requested grievances and arbitration

20 but was repeatedly denied.

25 7. The alleged discrimination occurred on or about Dec. 2011 – June 2012.

26 (DATE)

27 8. I filed charges with the Federal Equal Employment Opportunity Commission (or the
28 California Department of Fair Employment and Housing) regarding defendant's alleged

discriminatory conduct on or about 9/25/12.

(DATE)

9. The Equal Employment Opportunity Commission issued a Notice-of-Right-to-Sue letter (copy attached), which was received by me on or about 2/9/14.


(DATE)

10. Plaintiff hereby demands a jury for all claims for which a jury is permitted:

Yes X No

11. WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, costs, and attorney fees.

DATED: 4/28/14



SIGNATURE OF PLAINTIFF

(PLEASE NOTE: NOTARIZATION
IS NOT REQUIRED.)

Crystal Howery

PLAINTIFF'S NAME

(Printed or Typed)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Crystal Howery**
4320 196th Street S. W.
Apartment B-731
Lynnwood, WA 98036

From: **Seattle Field Office**
909 First Avenue
Suite 400
Seattle, WA 98104



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

551-2013-00035

William S. Benedict,
Investigator

(206) 220-6918

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Michael Baldonado

Michael Baldonado,
District Director

JAN 29 2014

(Date Mailed)

Enclosures(s)

cc:

Aerospace Machinists Industrial District Lodge 751
c/o Kristina Detwiler, Attorney
ROBBLEE DETWILER AND BLACK, PLLP
2101 Fourth Avenue
Suite 1000
Seattle, WA 98121